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8 UNITED STATES DISTRICT COURT

9 CENTRAL DISTRICT OF CALIFORNIA

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11 HUMBERTO DANIEL KLEE and) Case No. CV 12-08238 DDP (PJWx)
12 DAVID WALLAK, individually)
13 and on behalf of a class of) **ORDER TO SHOW CAUSE WHY THIS**
14 similarly situated) **ACTION SHOULD NOT BE DISMISSED**
15 individuals,) **FOR LACK OF JURISDICTION**
16 Plaintiffs,)
17 v.)
18 NISSAN NORTH AMERICA, INC.;)
19 NISSAN MOTOR COMPANY, LTD,)
20 Defendants.)
21 _____)

22 Plaintiffs are ordered to show cause why this action should
23 not be dismissed for lack of subject matter jurisdiction. Under 28
24 U.S.C. § 1332(d)(4)(B), a district court must decline to exercise
25 jurisdiction when greater than two-thirds of the members of all
proposed plaintiff classes in the aggregate are citizens of the
State in which the action was originally filed. From the
Complaint, it is not clear what percentage of California citizens
the class comprises. Accordingly, the court orders Plaintiffs to
file a brief, not to exceed five pages, by **Friday, January 4, 2013**

1 to show cause why this action should not be dismissed for lack of
2 subject matter jurisdiction.

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4 IT IS SO ORDERED.

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7 Dated: December 17, 2012

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DEAN D. PREGERSON
United States District Judge